

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 117 Ex.]

YEAS—69

Baldwin	Hassan	Reed
Bennet	Heinrich	Risch
Blumenthal	Hickenlooper	Romney
Blunt	Hirono	Rosen
Booker	Hoeven	Rounds
Boozman	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Scott (FL)
Capito	Klobuchar	Scott (SC)
Cardin	Leahy	Shaheen
Carper	Lujan	Sinema
Casey	Manchin	Smith
Collins	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Thune
Cotton	Moran	Tillis
Cramer	Murkowski	Van Hollen
Crapo	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Feinstein	Padilla	Whitehouse
Gillibrand	Peters	Wicker
Graham	Portman	Wyden

NAYS—30

Barrasso	Grassley	Marshall
Blackburn	Hagerty	McConnell
Braun	Hawley	Paul
Burr	Hyde-Smith	Rubio
Cassidy	Inhofe	Sasse
Cornyn	Johnson	Shelby
Cruz	Kennedy	Sullivan
Daines	Lankford	Toomey
Ernst	Lee	Tuberville
Fischer	Lummis	Young

NOT VOTING—1

Sanders

The nomination was confirmed.

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 764, January Contreras, of Arizona, to be Assistant Secretary for Family Support, Department of Health and Human Services.

Charles E. Schumer, Tammy Duckworth, Mazie Hirono, Brian Schatz, Richard Blumenthal, Jacky Rosen, John W. Hickenlooper, Richard J. Durbin, Sheldon Whitehouse, Cory A. Booker, Alex Padilla, Tim Kaine, Christopher A. Coons, Margaret Wood Hassan, Gary C. Peters, Christopher Murphy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of January Contreras, of Arizona, to be Assistant Secretary for Family Sup-

port, Department of Health and Human Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 118 Ex.]

YEAS—54

Baldwin	Graham	Padilla
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Rosen
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Burr	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden

NAYS—45

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Tillis
Daines	McConnell	Toomey
Ernst	Moran	Tuberville
Fischer	Paul	Wicker
Grassley	Portman	Young

NOT VOTING—1

Lujan

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 54, the nays are 45.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of January Contreras, of Arizona, to be Assistant Secretary for Family Support, Department of Health and Human Services.

The PRESIDING OFFICER. The Senator from Tennessee.

NOMINATION OF KETANJI BROWN JACKSON

Mrs. BLACKBURN. Mr. President, earlier this week, I gave some examples of how the media is covering for Judge Jackson's lackluster performance in her Supreme Court confirmation hearing. I am not sure who they think they will persuade with these unhinged attacks, but what I do know is that the subtext has come through loud and clear for Tennesseans. It is: Sit down, shut up, stop questioning authority; and if you don't, we are going to come and get you.

That is what these headlines are basically saying.

Last night, I hosted a telephone townhall with more than 30,000 people

across middle and east Tennessee, and they have rejected the message that they are seeing in these headlines. It is really pretty simple for them. The harder the media pushes and tries to shut them up, the more they are pushing for accountability, especially when it comes to protecting the future for their children and their grandchildren.

As I am sure many people will recall, during a line of questioning in Judge Jackson's confirmation hearing, I asked her a very simple question. All I wanted her to do was define the word "woman." She told me she couldn't answer the question because she wasn't a biologist. If we had not been in the middle of a committee hearing, I would have thought that this was a joke. But we were in the middle of this committee hearing, and it wasn't. It was a very deliberate signal to a very specific group of individuals.

Of course, our friends in the media sensed this was going to backfire, as it did, so they flew into damage control mode. But I think it is safe to say they overplayed their hand on this one. According to this particular outlet, science says there is no simple answer to what a woman is. Don't question the science. That sounds familiar, doesn't it? We have heard that a lot lately. They went to great lengths to refute a simple fact that every single American learned in their grade school science class. Judge Jackson's answer and the media's panicked defense of it were both completely divorced from reality.

I have spoken at length about how Judge Jackson's total lack of a judicial philosophy causes these kinds of problems. But my Democratic colleagues and their activist friends still seem to be under the impression it is unreasonable to ask a Supreme Court nominee about her approach to interpreting the law. This makes no sense. Without that philosophy—without that basic standard—you cannot achieve stability or predictability, which are two things Judge Jackson repeatedly told us are important for a functioning judicial system.

I have serious questions about the nominee's refusal to engage us on this question. But what worries me more is her refusal to acknowledge that when it comes to law, not everything can or should be up for debate because political activists demand it. Our legal system is built on a foundation of definitions and rules, which are two equally important components.

In this case, if we concede that the definition of "woman" is too controversial to nail down, how can we demand equal justice under the law for victims of sex discrimination? Furthermore, how could the Supreme Court determine standing for any case regarding a gender-based rule? To take it even further, if words no longer matter, are the definitions of other protected classes up for debate? If so, which ones? And if not, then why not? Whose standard are we using here? Think about that.